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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,938	04/06/2001	Atsushi Mizuno	862.C2193	3608

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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BROSS, EDWARD J

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/826,938

Applicant(s)

MIZUNO, ATSUSHI

Examiner

Edward Bross

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-19 are pending in this application.

#### ***Claim Objections***

2. Claim 19 is objected to because of the following informalities: "The apparatus according to claim 18" should read "The method of claim 18" as claim 18 claims a method. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 11 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims language is not clear for the following reasons:

- a. Claim 8 claims a storage medium; however, it is dependent on claim 7 which claims a method.
- b. Claim 11 claims a storage medium; however, it is dependent on claim 10 which claims a method.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 5, 7-12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsuma et al. (6,115,132).

7. As to claims 1, 5, 7-12 and 16, Nakatsuma discloses a job processing system comprising a single network or different networks connected to be able to communicate with each other (106 Fig. 1), first and second information processors (102 and 101 Fig. 48), and an output device (105 Fig. 48), characterized in that

said first information processor comprises:

job issuing means for converting image information into print data processable by said output device (implied in having print data to send Fig. 48), and transferring to said output device job data having attribute information attached which is used to start outputting the print data when the print data is given authentication from said second information processor (col. 23, lines 33-36); and

storage means for storing received job data (spool at the client col. 23, lines 17-18); and

control means for outputting job data stored in said storage means when execution designation information for the job data is supplied (col. 23, lines 33-36) and

said second information processor comprises:

job start designating means for designating actual issue of the execution designation information to said output device ("SEND PRINT START INSTRUCTION" Fig. 48).

8. Nakatsuma does not disclose notifying means for notifying said second information processor of execution designation information for the job data to be issued from said second information processor to said output device or that the storage means for receiving job data is at the output device.

However, Nakatsuma does disclose the second information processor can acquire execution designation information from the output device (col. 23, lines 12-14).

9. It would have been obvious to one of ordinary skill in the art at the time of the invention to explicitly send the execution designation data to the server in order to decrease the overhead polling the output device entails as well as to have the storage means at the output device to reduce the storage overhead a each client.

10. As to claim 5, Nakatsuma does not disclose the attribute information issued by said job issuing means of said first information processor contains the upper-limit number of output times of job data, and

said output device further comprises erasing a job when the upper-limit number times of the job is reached.

However, upper limits on the number of print attempts are well known in the art (such as number of retries in event of an error) and Nakatsuma does disclose deleting the print job when it is complete ("JOB DELETION INSTRUCTION" Fig. 48).

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11. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an upper-limit of output times of job data in order to reduce wait times for the printer services.

12. Claims 2-4, 6, 13-15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsuma et al. (6,115,132) in view of Rabne et al. (6,006,332).

13. As to claim 2, Nakatsuma does not disclose that said first information processor further comprises notifying means which when said job issuing means outputs the job data to said output device, notifies job issue to a user permitted to execute the job data.

14. Rabne discloses that said first information processor further comprises notifying means which when said job issuing means outputs the job data to said output device, notifies job issue to a user permitted to execute the job data (col. 22, lines 44-46).

15. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the systems of Nakatsuma and Rabne in order to allow the print system to support to the rights management of the data being printed.

16. As to claim 3, Nakatsuma discloses said job start designating means gives the execution designation information for the job when predetermined operation is performed (col. 24, lines 18-24).

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17. Nakatsuma does not disclose said second information processor further comprises informing means which, when said notifying means notifies job issue, informs an external apparatus of the notification.

18. Rabne discloses said second information processor further comprises informing means which, when said notifying means notifies job issue, informs an external apparatus of the notification (RM Server col. 22, lines 34-44).

19. As to claim 4, Nakatsuma does not disclose that said second information processor further comprises:

means for notifying the same information as notified by said notifying means to another user to be given permission to output the job; and

means for adding a user to be given permission to output to attributes with respect to said output device.

20. Rabne discloses that said second information processor further comprises:

means for notifying the same information as notified by said notifying means to another user to be given permission to output the job (implied by plural "users" col. 22, lines 34-36); and

means for adding a user to be given permission to output to attributes with respect to said output device (implicit in order for any to be able to have permission to print).

21. As to claim 6, Nakatsuma does not disclose the attribute information issued by said issuing means of said first information processor contains information concerning the validity period job data, and



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said output device further comprises means for erasing job data whose validity period has expired

22. As to claim 6, Rabne discloses the attribute information issued by said issuing means of said first information processor contains information concerning the validity period job data, and

said output device further comprises means for erasing job data whose validity period has expired ("EFFECTIVE DATE" Fig. 11).

23. As to claims 13 and 17, Nakatsuma and Rabne do not explicitly disclose said first receiving means further receives information for specifying said second client,

said print job managing means stores and manages information for specifying said second client together with the authentication information, and

said printing means performs printing when client as a transmission source authentication information received by said second receiving means is said second client stored and managed by managing means. said print job

24. However, it is implied by Rabne that the authentication information can only be received by the RM server that is stored as part of the client's configuration. (10 Fig. 1b).

25. As to claims 14 and 18, Nakatsuma and Rabne do not disclose that said print job managing means stores information for specifying a plurality of second clients for one print data.

26. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a plurality of second clients for one print data in order to wasted storage of print data duplicated for multiple clients.

27. As to claims 15 and 19, Nakatsuma discloses erasing information concerning the print job from memory when printing is performed ("JOB DELETION INSTRUCTION" Fig. 48).

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Bross whose telephone number is 305-8754. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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